

44646

In THE COURT OF Criminal Appeals
STATE OF ALABAMA

ROY DAVID HEATH
Appellant,

v.

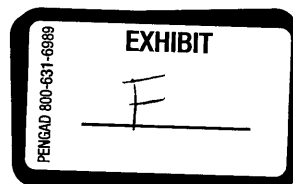
State OF ALABAMA
Appellee,

CR-01-2444

"Motion To Dismiss Appeal with Prejudice"

Come now THE Appellant, "ROY DAVID HEATH,"
Prose and request this Court of Appeal to
Dismiss his Appeal in THE Above "Reference Cause"
and for good cause states as follows:

- (A). THE Trial Court Has Denied Appellant
Request To Supplement or Correct THE
Record, "Disallowing THE Appellant To Prove
His Case before THIS COURT OF Appeals.
- (B) Appellant is Preparing Another "Post-Conviction
Remedy That is To be Presented upon THIS
his request To Dismiss his "Appeal without
Prejudice.



FOR THE ABOVE STATED REASONS AND FOR
GOOD CAUSE SHOWN:

Respectfully Submitted,
Roy D. Heath

"Certificate of Service"

I hereby Certify That I have forwarded
A COPY OF THE ABOVE foregoing upon THE following
by placing THE SAME in THE UNITED STATES MAIL
Postage Prepaid, and Addressed To Their Regular
mailing Address as follows:

CC. Circuit Clerk
Russell Co.
P.O. Box 518
501 14th Street
Phenix City, AL.
36867

Attorney General
Honorable William H. Pryor
11 South Union Street
Montgomery, AL.
36130

Done This 1/2/03

Roy D. Heath

COURT OF CRIMINAL APPEALS
STATE OF ALABAMA
JUDICIAL BUILDING, 300 DEXTER AVENUE
P.O. BOX 301555
MONTGOMERY, AL 36130-1555

44646

H. W. "Bucky" McMILLAN
Presiding Judge
SUE BELL COBB
PAMELA W. BASCHAB
GREG SHAW
A. KELLI WISE
Judges

Lane W. Mann
Clerk
Wanda K. Ivey
Assistant Clerk
334) 242-4590
334) 242-4689

CR-01-2444

Roy David Heath v. State
Court: CC01-30.60; CC01

Ex. E

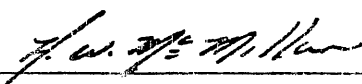
1 Circuit

The appellant's
on December 18th, 2002.
failed to file a brief with

use was due
appellant has

Upon consideration of the Court of Criminal
Appeals ORDERS that the above cause shall be dismissed for failure
to prosecute the appeal if the appellant's brief has not been filed
with this Court by January 16th, 2003.

Done this the 2nd day of January, 2003.



H.W. "Bucky" McMILLAN, PRESIDING JUDGE

CCA/wki

cc: Roy David Heath, Pro Se, Appellant
Office of Attorney General